

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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U.S. COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

-against-

ERIC MONCADA,
BES CAPITAL LLC, and
SERDIKA LLC,

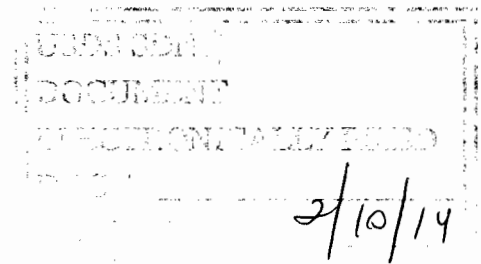
Defendants.

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ECF Case

Civil Action No. 12 CV 8791 (CM)

NOTICE OF MOTION



Upon the annexed Affirmation of Richard M. Asche, dated February 7, 2014, and all prior pleadings herein, the defendant Eric Moncada, on consent of the plaintiff U.S. Commodity Futures Trading Commission, moves this Court for an order extending the time to respond to plaintiff's motion for summary judgment from February 12, 2014 to February 26, 2014, and the time of plaintiff to file any affidavits or memoranda from February 19, 2014 to March 12, 2014.

Dated: New York, New York
February 7, 2014

MEMO ENDORSED

Litman, Asche & Gioiella, LLP
Attorneys for Defendant Eric Moncada

By: /s/ Richard M. Asche
Richard M. Asche (RMA7081)

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New York, New York 10005
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Two handwritten signatures are present. The first is a large, stylized signature, likely of Richard M. Asche. Below it is a second signature, which appears to be "Peter M. Mc..." followed by the date "2/10/14" written in ink.